


<b>FROM</b>	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE  <b>MEMO</b>	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 <sup>TH</sup> FLOOR		
	SUBJECT	BMZA / 3545 Roland Avenue		

**TO** Mr. David Tanner, Executive Director  
Board of Municipal and Zoning Appeals  
417 East Fayette Street, 14<sup>th</sup> Floor

DATE:

October 31, 2011

**REQUEST**

The Department of Planning has received Joe Preller's Board of Municipal and Zoning Appeals (BMZA) application to use the premises for two dwelling units. We understand that this appeal is scheduled for hearing on November 22, 2011.

**SITE**

3545 Roland Avenue is located on the east side of the street, approximately 145' south of the intersection with 36<sup>th</sup> Street. This property measures approximately 14' by 116' and is currently improved with a two-story end-of-row residential building measuring approximately 14' by 56'. This site is zoned R-7 and is located within the Hampden National Register Historic District.

**ANALYSIS**

Use: In this zoning district, multiple-family dwellings are a permitted use, and so are allowed (§4-1101). In this case, the property was last authorized for use as a single-family attached dwelling, which is also a permitted use in this R-7 General Residence District.

Conversion of Dwellings: In the R-7 and R-8 Districts, the Board may approve the conversion of a single-family dwelling to a two-family dwelling only if the property meets the minimum lot size requirements (§3-305.b.3.i).

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 1,100 square feet of lot area per dwelling unit (§4-1006.a.). In this case, for two dwelling units, 2,200 square feet of lot area is required. The lot only encloses 1,624 square feet, and so does not meet this requirement.

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than: (1) 25% of the applicable regulation (§15-202). In this case, the proposed amount of variance would be 26%. The variance requested exceeds the discretionary range of the Board and so ordinarily should not be allowed.

Off-Street Parking: ... if the intensity in use of a structure or premises is increased through the addition of dwelling, efficiency, or rooming units, floor area, seating capacity, or other units of measurement, off-street parking facilities must be provided for that increased intensity, as required by this title (§10-202.a). If the structure was lawfully erected before April 20, 1971, additional off-street parking facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use (§10-203.b). In this zoning district, multiple-family attached dwellings require one off-street parking space per dwelling

unit (§10-405.1.iv). For two dwelling units, two parking spaces are required; one can be provided for the additional dwelling unit proposed.

Comprehensive Planning: This property, though classified as an attached single-family dwelling, is in fact an end-of-row unit bordered on its north side by a 20' wide alley that separates it from the rear of the predominantly commercial use buildings on 36<sup>th</sup> Street. As this affords opportunities for light and ventilation through the side wall, this property is well suited to conversion to two dwelling units, and the amount of lot area variance required is barely above the 25% maximum imposed by the Zoning Code. There is also neighborhood support for this application, conditional upon the applicant providing and continuing to provide two parking spaces at the rear of the property.

Historic District: The property is located in a designated historic district, and so may be eligible for historic tax credits for restoration and renovation. The appellant is encouraged to contact the Baltimore Commission for Historical and Architectural Preservation before proceeding with any improvements which may be authorized as a result of this appeal.

### **RECOMMENDATION**

The Department of Planning has no objection to this appeal, provided that the applicant provides and continues to provide two parking spaces at the rear of the property.

TJS/wya/mf

cc: Joe Preller, Appellant